

Food Safety Alert – 9/28/06

The major news today is that Natural Selection Foods, LLC has backed out of its deal to purchase a processing facility currently owned by Pride of San Juan. The sale was part of an overall plan to buy out Pride of San Juan. Natural Selection had run the plant for 6 months. It is the plant where the packages of tainted spinach was bagged and is currently being investigated by health officials. The sale was in escrow. Natural Selection spokeswoman Samantha Cabaluna told the press that the decision was unrelated to FDA officials' tracing the Dole spinach to the plant. But the decision to back out was made based on their current financial status.

<http://www.montereyherald.com/mld/montereyherald/news/local/15627660.htm>

Also in the news, a third bag of Dole spinach has tested positive for E Coli – the bag found in York, PA. The bag has also been traced through bar codes to the same Plant that packaged the previous two tainted bags.

<http://www.montereyherald.com/mld/montereyherald/news/local/15627660.htm>

The Californian is reporting that several Salinas area grocery stores are refusing to stock spinach altogether, instead of filling shelves with out of the area spinach. This is in response to the latest announcement by the FDA that out of the area spinach is okay, and the current movement to institute a labeling system for such purposes. Star Market, as well as Nob Hill are still not stocking spinach. Additionally, several local restaurants are refusing to serve out of the area spinach in their dishes.

<http://www.californianonline.com/apps/pbcs.dll/article?AID=/20060928/NEWS01/609280304>

The AP is reporting that two more bags of tainted Dole baby Spinach found in the homes of two Wisconsin victims of the E Coli outbreak have been linked to the current crisis. There is no word yet as to whether or not these bags were processed at the same facility as the previous three bags.

<http://www.weau.com/home/headlines/4255101.html>

****Correction**** Yesterday the AP printed an article that the first claim stemming from this E Coli outbreak had been entered in federal district court by an Ohio family. That is not correct. According to the law firm of Marler Clark, they filed a lawsuit naming Dole as a defendant in the District of Oregon on behalf of a Portland woman on September 14, 2006. <http://www.marlerclark.com/news/dole-spinach-ecoli.htm>. For further information, you can also read an *unbiased report* of how Marler Clark is crediting themselves with discovering the E Coli outbreak and how they filed suit before the warning was issued by the FDA. Here is an excerpt: "Drew Falkenstein, a firm associate, took the call. Mr. Wellborn mentioned that his wife had eaten Dole spinach. Six days later, Mr. Falkenstein says, a Wisconsin attorney referred a local case involving a family whose two children had E. coli; the mother suspected it was from Dole spinach. Two mentions of Dole spinach struck Mr. Falkenstein and Patti Waller, the firm's epidemiologist. They walked into Mr. Marler's office, and he immediately suspected an outbreak. . . .On Sept. 14, just before government officials announced the news of the sullied spinach, Marler Clark had filed its first case on the Wellborns' behalf."

See http://www.marlerclark.com/news/dole_spinach_WSJ.htm